STATE OF NEW YORK

_____

2731

2017-2018 Regular Sessions

IN ASSEMBLY

January 23, 2017
_____

Introduced by M. of A. CROUCH -- Multi-Sponsored by -- M. of A. OAKS --
  read once and referred to the Committee on Real Property Taxation

AN ACT to amend the real property tax law, in relation to extending the
  enhanced STAR exemption to the disabled surviving spouse of a previ-
  ously qualifying individual

  **The People of the State of New York, represented in Senate and Assem-
  bly, do enact as follows:**

 1   Section 1. Subparagraph (iii) of paragraph (a) of subdivision 4 of
 2 section 425 of the real property tax law, as added by section 4 of part
 3 A of chapter 405 of the laws of 1999, is amended to read as follows:
 4   (iii) In the case of property owned by husband and wife, one of whom
 5 is sixty-five years of age or over, the exemption, once granted, shall
 6 not be rescinded solely because of the death of the older spouse so long
 7 as the surviving spouse is at least sixty-two years of age **or is phys-
 8 ically disabled** as of the date specified in this paragraph. **To qualify
 9 as physically disabled for the purposes of this subparagraph, an indi-
10 vidual shall submit to the assessor a certified statement from a physi-
11 cian licensed to practice in the state on a form prescribed and made
12 available by the commissioner which states that the individual has a
13 permanent physical impairment which substantially limits one or more of
14 such individual's major life activities, except that an individual who
15 has obtained a certificate from the state commission for the visually
16 handicapped stating that such individual is legally blind may submit
17 such certificate in lieu of a physician's certified statement. The other
18 requirements of this subdivision must still be met for the enhanced
19 exemption to be granted to a surviving spouse under this subparagraph.**
20   § 2. This act shall take effect immediately and shall apply to the
21 administration of the enhanced STAR exemption beginning with the
22 2017-2018 school year.

     EXPLANATION--Matter in **italics** (underscored) is new; matter in brackets
                    [ ] is old law to be omitted.

                                                            LBD00336-01-7